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SIEMENS INDUSTRY, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

JULIE SU, a California State Labor  
Commissioner, Division of Labor  
Standards Enforcement, Department of  
Industrial Relations, State of California, on  
behalf of the People of the State of  
California,

Plaintiff,

v.

SIEMENS INDUSTRY, INC., a Foreign  
Corporation; and DOES 1 to 10, Inclusive,

Defendant.

Case No. 3:12-CV-03743-JST

**STIPULATION AND REQUEST TO  
VACATE TRIAL DATE**

~~PROPOSED~~ ORDER

Trial Date: February 8, 2016

Defendant Siemens Industry, Inc., and Plaintiff Julie Su, hereby submit the following  
Stipulation and Request to Vacate Trial Date and [Proposed] Order to Vacate Trial Date on the  
following grounds:

On November 19, 2015, Plaintiff and Defendant agreed to settlement terms;

1 Because Intervenor Anderson did not agree to settlement terms, the settlement was  
 2 conditioned on the Court approving the settlement and dismissing the case with prejudice as to all  
 3 parties;

4 Plaintiff intends to file a request pursuant to F.R.C.P. 41 for dismissal with prejudice on or  
 5 before January 19, 2016, as a noticed motion (to allow Intervenor Anderson to object or oppose if he  
 6 so chooses) with a hearing date of February 25, 2016, to which Defendant will join.

7 The current trial date in this matter is February 8, 2016.

8 Therefore, Plaintiff and Defendant jointly request that the Court vacate the current trial date  
 9 pending dismissal of the case, or in the alternative, reset trial for late May or early June 2016, or  
 10 otherwise set a trial setting conference for May or June 2016.

11 **SO STIPULATED.**

12 Dated: January 12, 2016

13  
 14 /S/ Gregory G. Iskander  
 15 GREGORY G. ISKANDER  
 16 LITTLER MENDELSON  
 Attorneys for Defendant  
 SIEMENS INDUSTRY, INC.

17 Dated: January 12, 2016

18 /S/ Michael L. Smith  
 19 MICHAEL L. SMITH  
 Dept. of Industrial Relations  
 Attorneys for Plaintiff Julie Su

20 I, the filer of this document, attest that all other signatories listed, and on whose behalf the  
 21 filing is submitted, concur in the filing's content and have authorized the filing.

22 Dated: January 12, 2016

23  
 24 /S/ Gregory G. Iskander  
 25 GREGORY G. ISKANDER  
 26 LITTLER MENDELSON  
 Attorneys for Defendant  
 SIEMENS INDUSTRY, INC.

**ORDER**

Upon the parties' stipulation, and for good cause, it is HEREBY ORDERED that the Trial Date, currently set for February 8, 2016 at 8:30 a.m., is vacated.

**SO ORDERED.**

**Dated: January 12, 2016**

  
Hon. Jon S. Tigar  
United States District Court Judge